

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

BARRY W. FLETCHER, SR.,

Plaintiff,

vs.

CATHIE PETERS, et al.,

Defendants.

4:12CV3179

ORDER

This matter is before the court on the defendants' Motion for Leave to Take Deposition of the Plaintiff, a Person Confined to Prison (Filing No. 108). The defendants seek leave for the deposition pursuant to Fed. R. Civ. P. 30(a)(2)(B) because the plaintiff is incarcerated at the Tecumseh State Correctional Institution. The defendants state the plaintiff's deposition is for the purpose of discovery. The plaintiff does not oppose the motion. The parties agreed to a location and proposed dates for the deposition. Under the circumstances, it appears such deposition is consistent with Fed. R. Civ. P. 26(b)(2). Upon consideration,

IT IS ORDERED:

The defendants' Motion for Leave to Take Deposition of the Plaintiff, a Person Confined to Prison (Filing No. 108) is granted.

Dated this 21st day of December, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge